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DATE 1-29-04UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

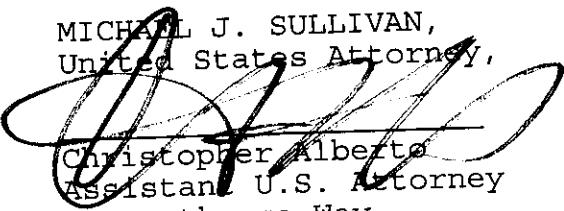
MARY F. CALHOUN)
 Plaintiff,) Civil Action No. 04-1-40
 v.)
 UNITED STATES OF AMERICA,)
 Defendant.)

04**202****117**MAGISTRATE JUDGE BoulderNOTICE OF REMOVAL

The Defendant, United States Postal Service, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts hereby gives notice pursuant to 28 U.S.C. § 1446(a) of its removal of this lawsuit to the United States District Court for the District of Massachusetts. As grounds for the removal, the defendant United States herein informs the Court that the Defendant is a federal entity and jurisdiction is not proper in the State Court¹. The USPS is entitled to remove the action pursuant to 28 U.S.C. § 2679(d)(2).

UNITED STATES POSTAL SERVICE

By its attorney,

MICHAEL J. SULLIVAN,
United States Attorney,

 Christopher Alberto
Assistant U.S. Attorney
1 Courthouse Way,
Suite 9200
Boston, MA 02210
(617) 748-3311
1/29/04

¹By moving to remove this case from State Court, the United States Postal Service is not conceding that service of process was properly made. The United States Postal Service reserves its rights to make jurisdictional arguments in Federal Court.

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

District Court Department
Westborough Division
Civil Action No. _____

MARY F. CALHOUN)
Plaintiff)
)
v.)
)
UNITED STATES)
POSTAL SERVICE)
Defendant)

COMPLAINT

COUNT I

1. The Plaintiff, Mary F. Calhoun, is a resident of Worcester, County of Worcester, Commonwealth of Massachusetts.
2. The Defendant, United States Postal Service, is a business entity of the Federal Government with offices in the Commonwealth of Massachusetts.
3. The Plaintiff, Mary F. Calhoun, says that on October 9, 2002, the Defendant, United States Postal Service, its agent, servant, and/or employee, so negligently operated a motor vehicle on Park Avenue, a public way in the City of Worcester, County of Worcester, so that it struck the motor vehicle owned and operated by the Plaintiff, Mary F. Calhoun.
4. As a result thereof, the Plaintiff, Mary F. Calhoun, sustained severe injuries and was prevented from transacting her business, suffered great pain of body and mind and incurred medical and hospital expenses in excess of \$2,000.00, which permits this action to be brought under the provisions of Massachusetts General Laws, Chapter 231, § 6D.

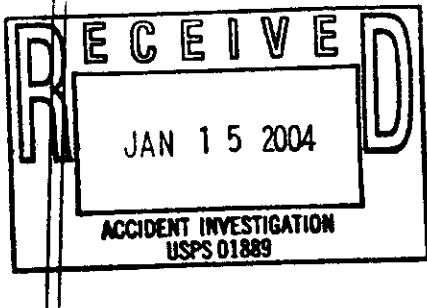
WHEREFORE, the Plaintiff, Mary F. Calhoun, demands judgment against the Defendant, United States Postal Service, together with interest and costs.

Dated: January 14, 2004

MARY F. CALHOUN
By Her Attorney,

Rickie T. Weiner

Rickie T. Weiner, Esquire, BBO #548524
ELLIS LAW OFFICES, LLP.
33 Pleasant Street, Suite 2
Worcester, MA 01609
(508) 757-7451



COMMONWEALTH OF MASSACHUSETTS

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Civil Action No. _____

MARY F. CALHOUN)
Plaintiff)
)
v.)
)
UNITED STATES)
POSTAL SERVICE)
Defendant)

CLAIM FOR JURY TRIAL

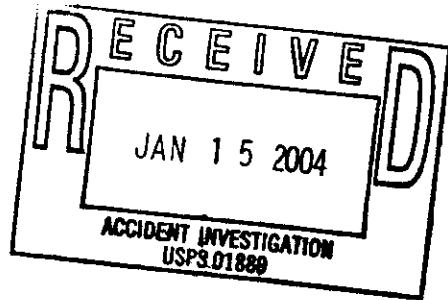
In accordance with M.G.L. Chapter 231, § 103, the Plaintiff hereby
makes a Claim for Jury Trial in the Westborough District Court on all issues.

Dated: January 14, 2004

MARY F. CALHOUN
By Her Attorney,

Rickie T. Weiner

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COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

District Court Department
Westborough Division
Civil Action No. _____

MARY F. CALHOUN

Plaintiff

)

)

v.

)

)

UNITED STATES

POSTAL SERVICE

Defendant

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)

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STATEMENT OF DAMAGES

Plaintiff(s) Defendant Other (specify) _____ in the
above-captioned action, hereby assert that the money damages sought by means of the

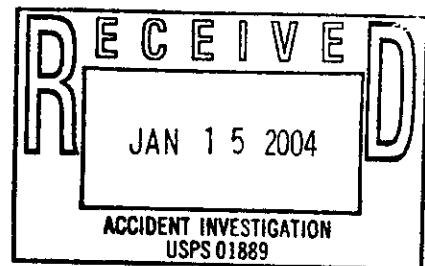
Complaint Crossclaim Counterclaim, to which this Statement of Damages
is attached, amounts to \$24,999.99.

Signed:

Rickie T. Weiner

Rickie T. Weiner, Esquire, BBO #548524
ELLIS LAW OFFICES, LLP.
33 Pleasant Street, Suite 2
Worcester, MA 01609
Tel. (508) 757-7451

Dated: January 14, 2004



COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

District Court Department
Westborough Division
Civil Action No. _____

MARY F. CALHOUN)
Plaintiff)
)
v.)
)
UNITED STATES)
POSTAL SERVICE)
Defendant)

UNIFORM COUNSEL CERTIFICATION
FOR CIVIL CASES

I am the attorney-of-record for : MARY F. CALHOUN

Plaintiff(s) Defendant(s) Third Party Defendant(s) Petitioner

in the above entitled matter.

In accordance with Rule 5 of the Supreme Judicial Court Uniform Rules on Dispute Resolution (SJC Rule 1:18) which states in part: A....Attorneys shall: provide their clients with this information about court-connected dispute resolution services; discuss with their clients the advantages and disadvantages of the various methods of dispute resolution; and certify their compliance with this requirement on the civil cover sheet or its equivalent..., B... I hereby certify that I have complied with this requirement.

Attorney-of-Record for the Plaintiff(s)

Rickie T. Weiner

Date: January 14, 2004

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